

BINGHAM MCCUTCHEN LLP
Peter Obstler (SBN 171623)
peter.obstler@bingham.com
Zachary J. Alinder (SBN 209009)
zachary.alinder@bingham.com
Marjory Gentry (SBN 240887)
marjory.gentry@bingham.com
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286

Attorneys for Defendant
JPMorgan Chase Bank, N.A.

HAGENS BERMAN SOBOL SHAPIRO LLP
Shana E. Scarlett (SBN 217895)
shanas@hbsslaw.com
715 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: 510.725.3000
Facsimile: 510.725.3001

HAGENS BERMAN SOBOL SHAPIRO LLP
Steve W. Berman, *pro hac vice*
steve@hbsslaw.com
Thomas E. Loeser (SBN 202724)
toml@hbsslaw.com
1918 Eighth Avenue, Suite 330
Seattle, WA 981010
Telephone: 206.623.7292
Facsimile: 206.623.0594

LAW OFFICE OF PETER FREDMAN
Peter B. Fredman (SBN 189097)
peter@peterfredmanlaw.com
125 University Ave., Suite 102
Berkley, CA 94710
Telephone: 510.868.2626
Facsimile: 510.868.2627

Attorneys for Plaintiff
Shelly A. Clements

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SHELLY A. CLEMENTS, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

No. C 12-02179 JCS

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO SET TIME
TO RESPOND TO COMPLAINT**

1 Defendant JPMorgan Chase Bank, N.A. (“Chase” or “Defendant”) and Plaintiff Shelly A.
 2 Clements (“Plaintiff”) (together with Defendant, the “Parties”) respectfully submit the following
 3 Joint Stipulation and [Proposed] Order to Set Time to Respond to Complaint.

4 WHEREAS, Plaintiff filed her Complaint on May 1, 2012, ECF No. 1;

5 WHEREAS, Defendant was served with the Complaint on May 2, 2012, and therefore
 6 absent an extension, Defendant’s reply to the Complaint will be due on May 23, 2012;

7 WHEREAS, on May 4, 2012, Plaintiff provided notice that she had filed an
 8 Administrative Motion to Consider Whether Cases Should be Related (“Motion to Relate”) in
 9 *McNeary-Calloway v. JP Morgan Chase Bank, N.A., et al.*, No. CV 11-03058 JCS (“*McNeary-*
 10 *Calloway Action*”), pending in the United States District Court for the Northern District of
 11 California, ECF No. 9;

12 WHEREAS, on May 11, 2012, plaintiffs in the *McNeary-Calloway Action* filed a
 13 Response to Administrative Motion to Consider Whether Cases Should be Related and stated
 14 that they did not oppose relating the cases, ECF No. 69 in *McNeary-Calloway Action*;

15 WHEREAS, the Court has just granted the Motion to Relate cases and thereby vacated all
 16 dates on calendar in the Action;

17 WHEREAS, no prior extensions have been requested or granted in this case;

18 WHEREAS, the Parties have met and conferred regarding the time for Defendant to
 19 respond to the Complaint and a proposed briefing schedule, and have agreed that an extension of
 20 time to respond and the following briefing schedule is appropriate; and,

21 WHEREAS, the Parties accordingly stipulate and agree that Defendant’s response date
 22 should be extended to July 13, 2012. The Parties further stipulate and agree that in the event that
 23 Defendant’s response consists of a motion to dismiss, Plaintiff’s opposition to the motion to
 24 dismiss will be due 30 days after the filing of the motion (August 14, 2012), and Defendant’s
 25 reply in support of the motion to dismiss will be due 20 days after the filing of Plaintiff’s
 26 opposition (September 3, 2012). The Parties further respectfully request that the hearing on
 27 Defendant’s motion to dismiss, if any, be set approximately two weeks after the completion of
 28 the briefing of the motion.

**IT IS HEREBY STIPULATED AND AGREED, AND RESPECTFULLY
REQUESTED, AS FOLLOWS:**

Defendant shall have until July 13, 2012 to respond to the Complaint. In the event that Defendant files a motion to dismiss the Complaint as its response, Plaintiff's opposition papers will be due on August 14, 2012 and Defendant's reply papers will be due on September 3, 2012. The Parties further respectfully request that the hearing on Defendant's motion to dismiss, if any, shall be set on September 21, 2012 at 9:30 a.m. or as soon thereafter as is convenient for the Court.

DATED: May 21, 2012

Bingham McCutchen LLP

By: /s/ Zachary J. Alinder
Zachary J. Alinder
Attorneys for Defendant
JP Morgan Chase Bank, N.A.

DATED: May 21, 2012

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/Thomas Loeser
Thomas Loeser
Attorneys for Plaintiff
Shelly A. Clements

FILER'S ATTESTATION

Pursuant to General Order No. 45, § X(B), I, Zachary J. Alinder, attest under penalty of perjury that concurrence in the filing of the document has been obtained from all the signatories.

Dated: May 21, 2012

/s/ Zachary J. Alinder
Zachary J. Alinder

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: May 23, 2012

JOSEPH C. SPERO
United States Magistrate Judge

